

## **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** David Quigley, AICP, Planning and Zoning Manager/(954) 797-1103

**PREPARED BY:** Lise Bazinet, Planner II

**SUBJECT:** Ordinance

**AFFECTED DISTRICT:** District 2

**ITEM REQUEST:** Schedule for Council Meeting

**TITLE OF AGENDA ITEM:** REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 9-1-09, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: B-1, NEIGHBORHOOD BUSINESS DISTRICT TO: B-2, COMMUNITY BUSINESS DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE ( ZB 9-1-09, J &Y Estates, 4495 SW 67<sup>th</sup> Terrace) Planning & Zoning Board recommended approval.(tabled from May 5, 2010)

**REPORT IN BRIEF:** The petitioner requests to rezone the subject site in order to allow medical offices with the existing office building. The difference between B-1 and B-2 Zoning Districts is that B-1 is intended to service the local neighborhood shopping area and provide for personal service, while the B-2 is intended to service needs of several neighborhoods or the local community. The B-2 zoning district allows a wider variety of uses, including health clubs, catering, pawnshops, pharmacy, and restaurants (a full comparison of permitted uses is attached). Regardless of what uses are permitted in the zoning district, any proposed uses must meet all Land Development Regulations, including parking requirements, which may limit the uses actually allowed. While staff believes medical office is appropriate for the site, some of the B-2 Zoning District permitted uses may be incompatible with adjacent residential uses.

**PREVIOUS ACTIONS:** Tabled from May 5, 2010.

**CONCURRENCES:** At the April 14, 2010 Planning & Zoning Board meeting, Mr. Jacob made a motion, seconded by Vice-Chair Busey, to approve. In a roll call vote,

the vote was as follows: Chair Turin – no; Vice-Chair Busey – yes; Mr. DeArmas – yes; Mr. Farkas – absent; Mr. Jacob – yes. **(Motion carried 3-1)**

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):** Other - Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

**Attachment(s):** Ordinance, Planning Report

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 9-1-09, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: B-1, NEIGHBORHOOD BUSINESS DISTRICT TO: B-2, COMMUNITY BUSINESS DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed **FROM:** B-1, Neighborhood Business District **TO:** B-2, Community Business District; and

WHEREAS, said notice was given and publication made as required by law, and a public hearing there under was held on the date of the adoption of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the property hereinafter described is hereby rezoned from B-1, Neighborhood Business District, to B-2, Community Business District;

- a. The subject property is described in Exhibit "A," which is attached hereto and made a part hereof.

SECTION 2. That the zoning map heretofore adopted by the Town Council is hereby amended to show the property described in Section 1, herein, as B-2, Community Business District.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Resolution shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

PASSED ON SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010

5582 N.W. 7th STREET SUITE 202  
 MIAMI, FLORIDA 33126  
 TELEPHONE: (305) 264-2660  
 FAX: (305) 264-0229

# Nova Surveyors Inc.

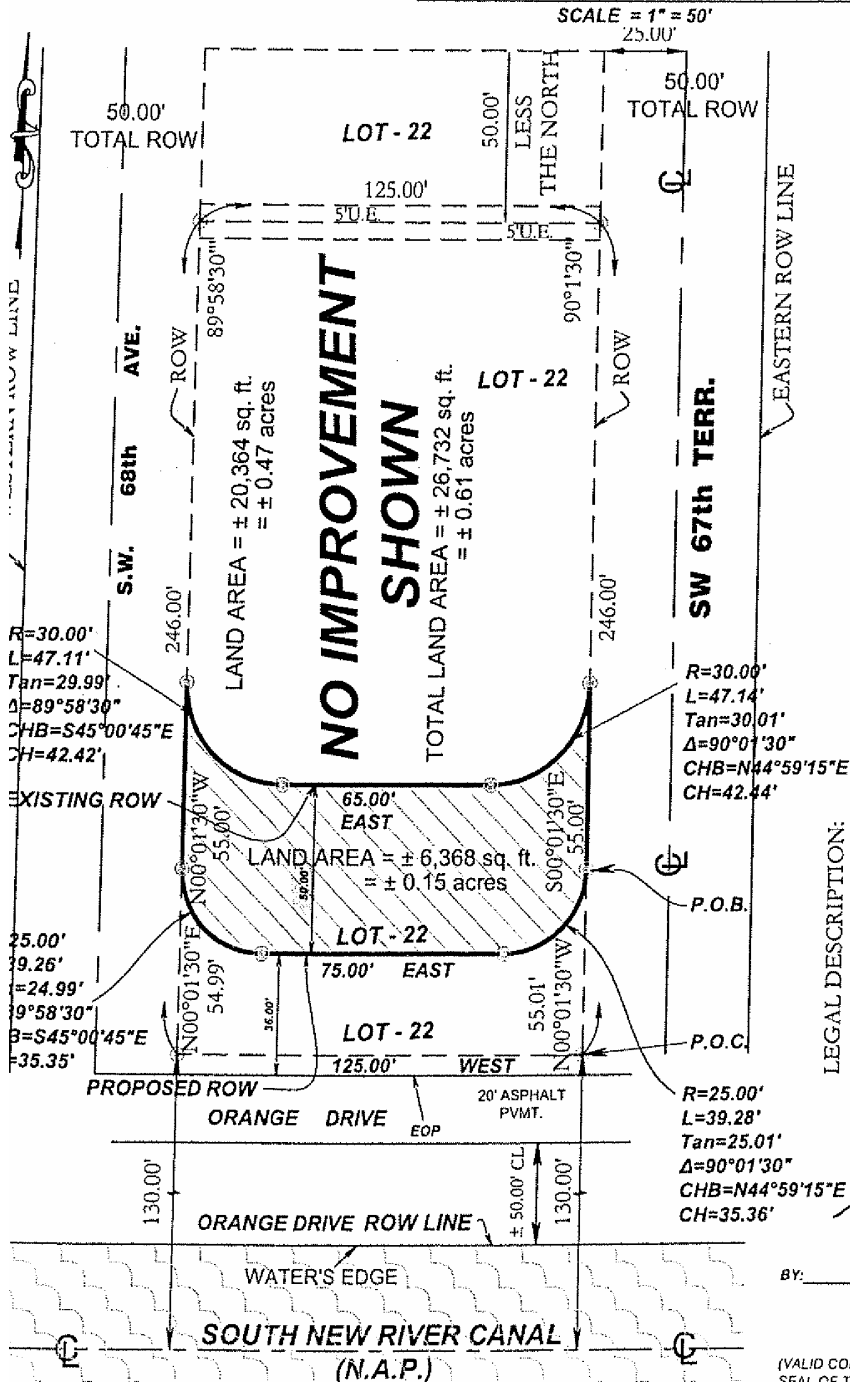
LAND SURVEYORS


SURVEY No. 3-0001388-4

DRAWN BY: T.D.

SHEET No. 1 OF 1

## SKETCH AND DESCRIPTION



BY:  09/09/2009  
 ROBERT IBARRA (DATE OF FIELD WORK)  
 PROFESSIONAL LAND SURVEYOR NO. : 6437  
 STATE OF FLORIDA

(VALID COPIES OF THIS SURVEY WILL BEAK THE EMBOSSED SEAL OF THE ATTESTING LAND SURVEYOR)

### SURVEYOR'S NOTE:

There may be Easements recorded in the Public Records not shown on this Survey.  
 The purpose of this Survey is for use in obtaining Title Insurance and Financing and should not be used for Construction purposes.





**Application:** ZB 9-1-09/09-118/J & Y Estates  
**Original Report Date:** 04/02/10  
4/16/10

**Revision(s):**

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**TOWN OF DAVIE**  
**Planning & Zoning Division**  
*Staff Report and Recommendation*

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**Applicant Information**

**Owner**

**Name:** J & Y Estates, LLC  
**Address:** 2411 NE 196 Street  
**City:** Aventura, FL 33180  
**Phone:** (786) 280-7223

**Petitioner**

**Name:** Linda C. Strutt Consulting, Inc.  
**Address:** 227 Goolsby Boulevard  
**City:** Deerfield Beach, FL 33442  
**Phone:** (954) 426-4305

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**Background Information**

**Date of Notification:** April 7, 2010  
**Notifications:** 129

**Number of**

**Petitioner's Request:** The petitioner proposes to rezone the subject site **FROM:** B-1, Neighborhood Business District **TO:** B-2, Community Business District.

**Address:** 4495 SW 67<sup>th</sup> Terrace

**Location:** Generally located on the northeast corner of Orange Drive and SW 68th Avenue

**Future Land**

**Use Plan Map:** Commercial

**Existing Zoning:** B-1, Neighborhood Business

**Proposed Zoning:** B-2, Community Business District.

**Existing Use(s):** Office building

**Proposed Use(s):** This request has been made to allow medical offices with the existing office building

**Subject Site Size:** 0.61 acres (26,732 sq. ft.)

**Surrounding Properties:**



	Land Use	Zoning	Current Use
<b>North</b>	Commercial	B-1, Neighborhood Business	Single Family
<b>South</b>	Commercial	B-1, Neighborhood Business	Linear Park
<b>East</b>	Commercial	B-1, Neighborhood Business	Single Family
<b>West</b>	Residential 3 DU/Acre	R-3, Low Density Dwelling District	Single Family

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## Zoning History

### **Related Zoning History:**

Existing building was built in 1992 based on Broward County Public Records.

### **Previous Requests on same property:**

*Dedication of Right-of-Way (Ordinance 90-10, Dev-Plus, Inc):* to deed land for right of way along Orange Drive.

### **Concurrent Requests on same property:**

*Vacation of Right-of-Way Application (VA 9-1-09, J & Y Estates):* Vacation of 50 feet of right-of way along Orange Drive.

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## Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

*Land Development Code (Section 12-305), Rezoning, Special Permits, Variances, and Vacations or Abandonments of Rights-of-Way*, the purpose of this division is to guide the processing and granting of rezonings, special permits, variances and vacations or abandonments of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

*Land Development Code (Section 12-24 (J)(4))*, Community Business (B-2) District. The B-2 District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

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## Comprehensive Plan Considerations

### **Planning Area:**

The subject property falls within Planning Area 8. This Planning Area is the heart of Davie and is the most diverse, characterized by older, small-scale commercial development, older single-family residential neighborhoods, and newer, large-scale multi-family residential developments that serve the rapidly growing South Florida Education Center (SFEC). It is bounded on the north by Nova Drive, south by Orange Drive, east by Florida's Turnpike, and west by University Drive. The planning area encompasses the downtown Davie Business District, where western theme architecture is

required, the Davie Town Hall and Rodeo Arena, two large mobile home communities, and industrial land.

**Broward County Land Use Plan:**

The subject site falls within Flexibility Zone 99.

**Applicable Goals, Objectives & Policies:**

*Future Land Use Plan, policy 7-2:* The (re)zoning, (re)planning, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

*Future Land Use Element, Land Use Compatibility and Community Appearance, Policy 20-1:* Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

*Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 20-2:* No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

*Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 20-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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**Public Participation**

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public at 4495 SW 67<sup>th</sup> Terrace (Subject Site) on October 14, 2009 and October 19, 2009. Attached is the petitioner's Citizen Participation Report.

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**Staff Analysis**

The following information is staff's analysis based on the criteria established in the Town of Davie Land Development Code, Section 12-307(A)(1) for rezoning application. The Planning and Zoning Board shall make a recommendation upon the application to the Town Council, based upon its consideration of, where applicable, whether or not:

- (a) The proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

*The proposed B-2, Community Business District is generally consistent with the Future Land Use classification of Commercial. Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 20-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses. Some B-2 uses may be considered incompatible with adjacent residential uses.*

- (b) The proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

*The rezoning to B-2, Community Business District could be considered incompatible with the existing R-3 residential zoning district to the north and west, due to intensity of some of the uses allowed in this district.*

- (c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;

*The existing boundary lines are not illogically drawn. They existing zoning district boundaries are consistent with the Future Land Use Plan.*

- (d) The proposed change will adversely affect living conditions in the neighborhood;

*Based on some of the more intense uses in the B-2, Community Business District, living conditions in the neighborhood could be negatively impacted.*

- (e) The proposed change will create or excessively increase automobile and vehicular traffic congestion, above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;

*Rezoning the property to B-2, Community Business District may increase vehicle trips by increasing the intensity of the uses.*

- (f) The proposed change will adversely affect other property values;

*Due to the intensity of some of the uses allowed in the B-2, Community Business District, the proposed change may affect surrounding properties.*

- (g) The proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations;

*Rezoning the subject site to B-2, Community Business District is not expected to deter improvements to the surrounding developed properties.*

- (h) The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

*Rezoning the subject site does not give the owner a unique benefit that harms the welfare of the general public. The proposed zoning district is*

*generally consistent with the Future Land Use classification of Commercial.*

- (i) There are substantial reasons why the property cannot be used in accord with existing zoning.

*There are no reasons why the property cannot be used in accord with the existing B-1, Neighborhood Business District. The petitioner has requested to rezone the subject site to B-2, Community Business District to allow Doctor's office use on the site, as stated in the applicant's justification letter attached.*

- (j) The proposed rezoning designation is the most appropriate designation to enhance the Town's tax base given the site's location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

*The conversion from B-1 to B-2 may not affect the tax base since the existing office building will not be modified.*

The B-1 District is intended to service the local neighborhood shopping area and personal service, while the B-2 District is intended to service needs of several neighborhoods or the local community. The B-2 zoning district includes more intense uses such as health clubs, catering, Doctor's office, pawnshops, pharmacy, and restaurants (see attached list of permitted uses). However, the office building is already in place and any proposed uses must meet all Land Development Regulations, including parking requirements, which may limit the uses allowed by the proposed rezoning due to the limited parking on site. Staff finds the rezoning application incompatible with the existing R-3 residential zoning district to the north and west.

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### **Staff Recommendation**

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

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### **Planning and Zoning Board Recommendation**

At the April 14, 2010 Planning & Zoning Board meeting, Mr. Jacob made a motion, seconded by Vice-Chair Busey, to approve. In a roll call vote, the vote was as follows: Chair Turin – no; Vice-Chair Busey – yes; Mr. DeArmas – yes; Mr. Farkas – absent; Mr. Jacob – yes. **(Motion carried 3-1)**

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### **Town Council Action**

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### **Exhibits**

1. Petitioner's Justification Letter
  2. List of Permitted Uses
  3. Sketch and Legal Description
  4. 1,000' Mail-out Radius Map
  5. 1,000' Mail-out
  6. Public Participation Notice
  7. Public Participation Sign-in Sheet
  8. Public Participation Summaries
  9. Future Land Use Plan Map
  10. Aerial, Zoning, and Subject Site Map
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Prepared by: \_\_\_\_\_  
Reviewed by: \_\_\_\_\_

*File Location: P&Z\Development Applications\Applications\ZB\_Rezoning\ZB\_09\ZB 9-1-09 J & Y Estates*

**J&Y Estates, LLC**  
**REQUEST FOR REZONING**

**JUSTIFICATION**

**Introduction:**

The applicant owns a parcel of land approximately 0.6 acres in size located at 4495 SW 67 Terrace. The applicant is seeking to enlarge the parcel by vacating a portion of the right-of-way deeded to the Town in 1990 (companion application). The site is currently zoned B-1 with a Commercial designation on the Future Land Use Map. There is an existing two-story professional office building of approximately 5,000 square feet located on the property.

**Reason for the Request:**

Due to the economic downturn, it is becoming increasingly difficult to attract and retain tenants. The owners have had several inquiries from medical professionals to rent office space at this location; however, this use is not permitted within the parameters of B-1 zoning regulations. The owners are therefore seeking to rezone the property to B-2 Community Business District which allows medical office use. This zoning district is the most limited increase in zoning intensity which would allow the proposed use and it is consistent with the land use designation of the property and surrounding properties.

The applicant has submitted a companion application to vacate the current surplus right-of-way for Orange Drive to accommodate the additional parking requirements associated with medical office use.

**Section 12-307(A) (1) Criteria**

***(a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;***

The zoning request is consistent with the Town's adopted comprehensive plan. Both the existing and the proposed zoning districts are relatively low-intensity business districts consistent with the Commercial Future Land Use Map designation on this property and the adjacent properties to the north and east.

***(b) The proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;***

The proposed change would not create an isolated zoning district and is compatible with adjacent and nearby districts. The subject property is located just west of the CRA boundary and is one of three adjacent properties designated Commercial on the Future Land Use Map lying immediately west of the Regional Activity Center. Most of the property on the north side of Orange Drive east of this property is zoned B-2, which is consistent with the zoning being requested.

***(c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;***

While the existing B-1 zoning district permits the existing commercial professional office use on the site, tenants with a medical license are precluded from locating here. The applicant is seeking the ability to include medical office use which would require the requested rezoning to B-2.

***(d) The proposed change will not adversely affect living conditions in the neighborhood;***

The zoning change is being requested to allow the property owner the opportunity to lease space in the existing building to medical professionals. This will provide additional opportunities for the applicant to keep the existing building occupied, an important deterrent to vandalism and property value decline. Due to the relatively small size of the property, it is anticipated that the neighboring property owners will experience no notable changes. Most of the other uses which B-2 would permit are not feasible for the size of the existing building, the parcel size or the access pattern. The targeted tenants include dentists and doctors who could provide services to the residents in the vicinity. The rezoning of this property is anticipated to maintain and potentially improve the existing living conditions of the neighborhood by increasing the value and viability of the property and providing conveniently located services.

***(e) The proposed change will not create or excessively increase automobile and vehicular traffic congestion, above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;***

The zoning change is being requested for a developed site to expand potential use of the existing office building to include medical professionals. No additional traffic volume is associated with this change nor are any changes proposed to the current access pattern. The existing and proposed uses are less intense in terms of traffic generation than other uses which are permitted under the current B-1 zoning. Redevelopment of the site would require re-platting and site plan review by the Town Council. A companion vacation request is intended to ensure that all parking needs are adequately addressed on site to preclude any congestion on the streets providing access to the site.

***(f) The proposed change will not adversely affect other property values;***

The proposed project will enhance the viability of the current commercial site, thus contributing to the maintenance and potential improvement of vicinity property values. Significantly vacant buildings tend to have a dampening effect on surrounding property values. The applicant is seeking to lease to

tenants who would provide services to the neighborhood which should contribute to the marketability of vicinity properties.

***(g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;***

The proposed change would not deter development or improvement of other properties in accord with existing zoning regulations. It represents only a minor expansion of permitted uses with no change to development standards. The only site changes to the he permitted uses which are feasible for this site are consistent with those permitted on adjacent and vicinity properties. Any future development or redevelopment on the site would be subject to the current regulations.

***(h) The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;***

The request for this change to B-2 zoning would not negatively impact the vicinity residents or properties or the welfare of the general public. It would have a potentially positive impact by enhancing the economic viability of the existing office building and providing potential employment opportunities and services conveniently located to a mix of residential densities.

***(i) There are substantial reasons why the property cannot be used in accord with existing zoning;***

Due to the economic downturn, it is becoming increasingly difficult to attract and retain tenants. The owners have been approached by several potential tenants with medical licenses who have been faced with licensing issues because of the zoning. They are seeking to improve this situation by rezoning the property to allow medical office use.

***(j) The proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.***

The subject site abuts commercially designated and zoned property on the north and is part of a Commercially designated parcel immediately west of the Regional Activity Center. This site is located adjacent to Orange Drive, a major collector with convenient access to the Florida turnpike and regional arterials. It can be accessed without traversing the residential neighborhoods while being located within close proximity to the residents who could benefit from the services provided by the tenants. The proposed zoning change could expand the tenant market to include dentists and doctors, tenants who tend to represent a stable presence.



→ (B) Commercial, Office and Business Districts:

COMMERCIAL, OFFICE AND BUSINESS DISTRICTS								
GENERAL USE	DISTRICTS							
	SC & B-1	WT & B-2	WC & B-3	O	FB	CC	C1	RO
Adult Arcade Amusement Center	N	N	*	N	N	N	N	N
Animals	*	*	*	*	N	*	N	*
Animals, Commercial	*	*	*	*	*	*	*	*
Amusement Parks	N	N	N	N	N	N	N	N
Animal Hospital	P	P	P	N	N	N	P	N
Animal Kennel	N	N	N	N	N	N	P	N
Antique, Crafts Shops	P	P	P	N	N	N	N	N
Athletic/Health Clubs, Gyms	N	P	P	N	P	*	P	N
Art Gallery	P	P	P	P	P	N	N	N
Auction House	N	*	*	N	N	N	*	N
Banks, Financial	P	P	P	P	P	P	N	*
Bakery, Delicatessen	P	P	P	N	P	*	P	N
Barber, Beauty Shops	P	P	P	N	P	*	P	N
Bars, Lounges	N	*	*	N	*	*	*	N
Bingo Establishments	N	1	1	N	N	N	*	N
Boat Yards	N	N	N	N	N	N	P	N
Bookstores, Newsstand	P	P	P	N	P	**	P	N
Botanical Gardens	N	N	N	N	P	N	P	N
Bottled Fuel	N	N	N	N	N	N	P	N
Bowling, Skating	N	P	P	N	N	N	P	N
Cabinet/Carpentry Shops	N	N	N	N	N	N	*	N
Car Wash	N	P	P	N	N	N	P	N
Catering (Food)	N	P	P	N	N	P	P	N
Communication Apparatus	*	*	*	*	*	*	*	*
Contractor, office only	P	P	P	P	N	P	P	P
Convenience Stores	P	P	P	N	*	N	P	N
Dance Halls, Clubs	N	P	P	N	P	N	P	N
Distribution Facilities	N	N	N	N	N	N	P	N
Dry Cleaning	*	*	*	N	N	**	P	N
Florist, Plant Shop	P	P	P	N	P	**	P	N
Game Room, Arcade	N	P	P	N	N	N	P	N
Gardeners, Landscape Contractors	N	N	N	N	N	N	P	N
Gift Shops	P	P	P	N	N	**	P	N
Golf Courses	N	P	P	N	P	N	N	N
Home Occupation	N	N	N	N	N	N	N	P
Hotels, Motels	N	N	*	N	P	*	N	N
Laboratories	N	N	N	P	P	P	P	N
Light Fabrication	N	N	N	P	N	P	P	N
Machine Shop	N	N	N	N	N	N	P	N
Medical Clinic, Doctor's Office	N	P	P	N	N	P	N	P
Mini Warehouse/Self Storage	N	N	N	N	N	*	*	N
Mobile Home Sales	N	*	*	N	N	N	P	N
Mortuary	P	P	P	P	P	P	P	N
Motion Picture Studio	N	N	N	N	N	P	P	N

COMMERCIAL, OFFICE AND BUSINESS DISTRICTS								
GENERAL USE	DISTRICTS							
	SC & B-1	WT & B-2	UC & B-3	O	FB	CC	C1	RC
Motor Fuel Pumps	N	*	*	N	*	N	*	N
Motorcycle Shop	N	N	*	N	N	N	N	N
Movers	N	N	N	N	N	N	P	N
Movie Theater, Performing Arts	N	P	P	N	P	N	N	N
Night Clubs	N	*	*	N	*	**	*	N
Nursery, Child Care Facility	*	*	*	N	*	*	N	P
Office	P	P	P	N	P	P	P	P
Office Equipment Sales	N	P	P	N	P	*	P	N
Parking Lot, Rental	N	P	P	N	*	N	N	N
Pawnshop	N	P	P	N	N	N	P	N
Personal Services	P	P	P	N	P	**	P	N
Pharmacy	N	P	P	N	P	*	P	N
Photographic Studio	P	P	P	N	P	P	P	N
Plant Nursery	P	P	P	P	P	N	P	P
Pool Rooms	N	P	P	N	N	N	P	N
Printer	N	P	P	N	P	P	P	N
Private Club	N	N	P	N	P	N	N	N
Radio or TV Station	N	N	N	N	N	P	P	N
Real Estate Office	P	P	P	P	*	P	P	P
Repair Shop, Except Vehicle or Boat Repair	N	P	P	N	N	N	P	N
Research Facilities	N	N	N	P	P	P	P	N
Residential Uses	*	N	*	N	*	*	*	*
Restaurants, Fast Food	N	P	P	N	P	N	P	N
Restaurant, Other	*	P	P	N	P	*	*	N
Retail Sales Other	P	P	P	N	P	**	P	N
Sales Office	P	P	P	P	P	P	P	P
Schools—Special, Private	N	*	*	*	*	N	N	N
Schools, Trade, Vocational and Other	N	*	*	*	*	N	*	N
Service Stations	N	N	*	N	N	N	*	N
Sexually Oriented Business	N	N	P	N	N	N	N	N
Sheet Metal Shop	N	N	N	N	N	N	*	N
Special Residential Facilities	*	*	*	N	N	N	N	N
Sports Arena	N	N	N	N	N	N	N	N
Studios (Art, Music)	P	P	P	N	N	P	P	P
Tattoo Parlors	N	N	*	N	N	N	N	N
Vehicle Customizing	N	N	N	N	N	N	P	N
Vehicle, Boat, Truck, Repair Major	N	N	N	N	N	N	*	N
Vehicle Repair, Minor	N	*	*	N	N	N	P	N
Vehicle Towing	N	N	N	N	N	N	*	N
Vehicle Sales and Rental	N	N	*	N	N	*	*	N

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COMMERCIAL, OFFICE AND BUSINESS DISTRICTS								
GENERAL USE	DISTRICTS							
	SC & B-1	WT & B-2	UC & B-3	O	FB	CC	C1	RO
Warehouse, Storage	N	N	*	N	*	*	*	N
Watchman's Apartment	*	N	*	N	N	*	*	N
Wholesale	N	P	P	N	N	P	P	N

P = Permitted by right in this district.

N = Not permitted in this district.

\* = Conditionally permitted subject to detailed use regulations (section 12-34).

1 = Subject to detailed use regulations of Chapter 13, Article V of Davie Code of Ordinances.

\*\* = Limited to 20% of gross floor area.

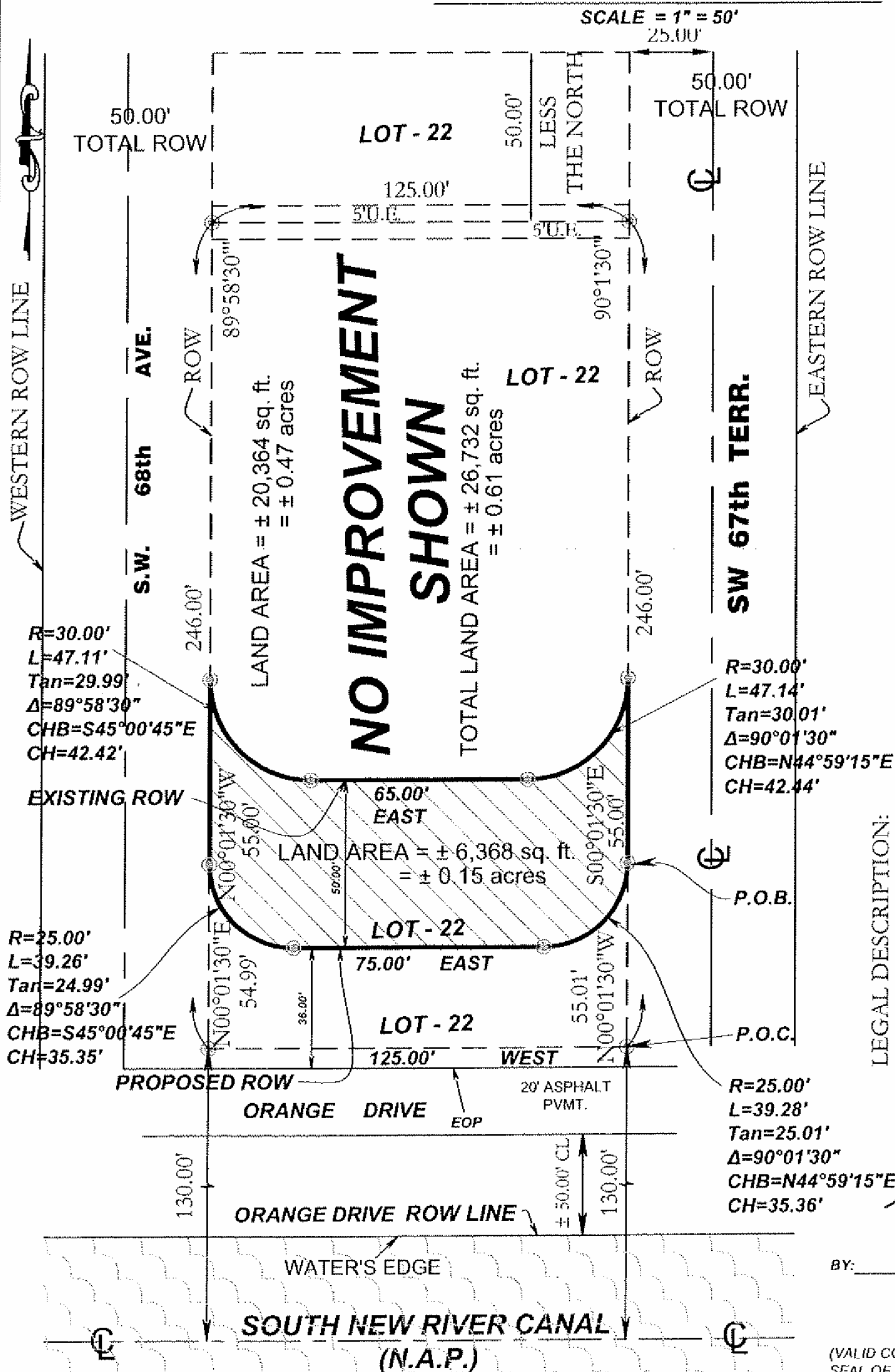
Permitted uses, specified under each zoning district, are intended to express the intent and purpose of that district. All uses are subject to General Regulations, section 12-33 and Detailed Use Regulations, section 12-34 of this article.

(C) *Business Park and Industrial:*

BUSINESS PARK AND INDUSTRIAL				
GENERAL USE	DISTRICTS			
	BP	M-1	M-2	M-3
Acid, Explosives	N	N	N	N
Agriculture, Commercial Agriculture	*	*	*	*
Animal Kennel	N	*	*	*
Auction House	*	N	N	N
Brewing/Distilling of Malt Beverages or Liquors	N	N	N	N
Business Uses	P	*	*	*
Cement, Concrete, Lime	N	N	P	P
Educational (Adult)	*	*	*	*
Food Processing Facility	N	N	N	P
Foundry, Drop Forging	N	N	N	N
Gravel, Rock Mining	N	N	N	N
Incinerator (Medical, Solid Waste, Biohazardous)	N	N	N	N
Landfill/Trash, Garbage Disposal	N	N	N	N
Light Manufacturing	P	P	P	P
Machine Shop	N	N	P	P
Marina	N	N	*	*
Medium Manufacturing	*	N	P	P
Mixed Use	N	*	*	*
Motor Freight Terminal	N	N	*	*
Motorcycle Shop	*	*	*	*
Movers	N	P	P	P
Office, Professional	P	*	*	*
Petroleum Storage, Refining, Distribution, etc.	N	N	N	N
Recycling, Scrap Metal Processing, and Automobile Wrecking Yard	N	N	N	*

DRAWN BY: T.D.

### SKETCH AND DESCRIPTION



LEGAL DESCRIPTION:

A PORTION OF LOT 22, LESS THE NORTH 50 FEET THEREOF OF "DEL MAR" SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK NO. 22, AT PAGE NO. 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SE CORNER OF SAI LOT 22, THENCE NORTH  $00^{\circ}01'30''$  WEST, A DISTANCE OF 55.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}01'30''$  AND AN ARC DISTANCE OF 39.28 FEET TO A POINT TANGENT TO A LINE DUE WEST A DISTANCE OF 75.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST THENCE A LONG A CURVE WITH A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF  $89^{\circ}58'30''$  AND AN ARC DISTANCE OF 39.26 FEET TO A POINT ON THE WEST LINE OF SAID LOT 22; THENCE SOUTH  $00^{\circ}01'30''$  EAST A DISTANCE OF 55.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 22; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG A CURVE WITH A RADIUS OF 30.00 FEET A CENTRAL ANGLE OF  $89^{\circ}58'30''$  AN ARC DISTANCE OF 47.11 FEET TO A POINT TANGENT TO A LINE; THENCE DUE EAST A DISTANCE OF 65 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE CURVE WITH A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}01'30''$  AND AN ARC DISTANCE OF 47.14 FEET TO A POINT ON THE EAST LINE OF SAID LOT 22; THENCE SOUTH  $00^{\circ}01'30''$  EAST A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING SAID LANDS LYING AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINING 6.368 SQ. FT. 0.15 ACRES MORE OR LESS.

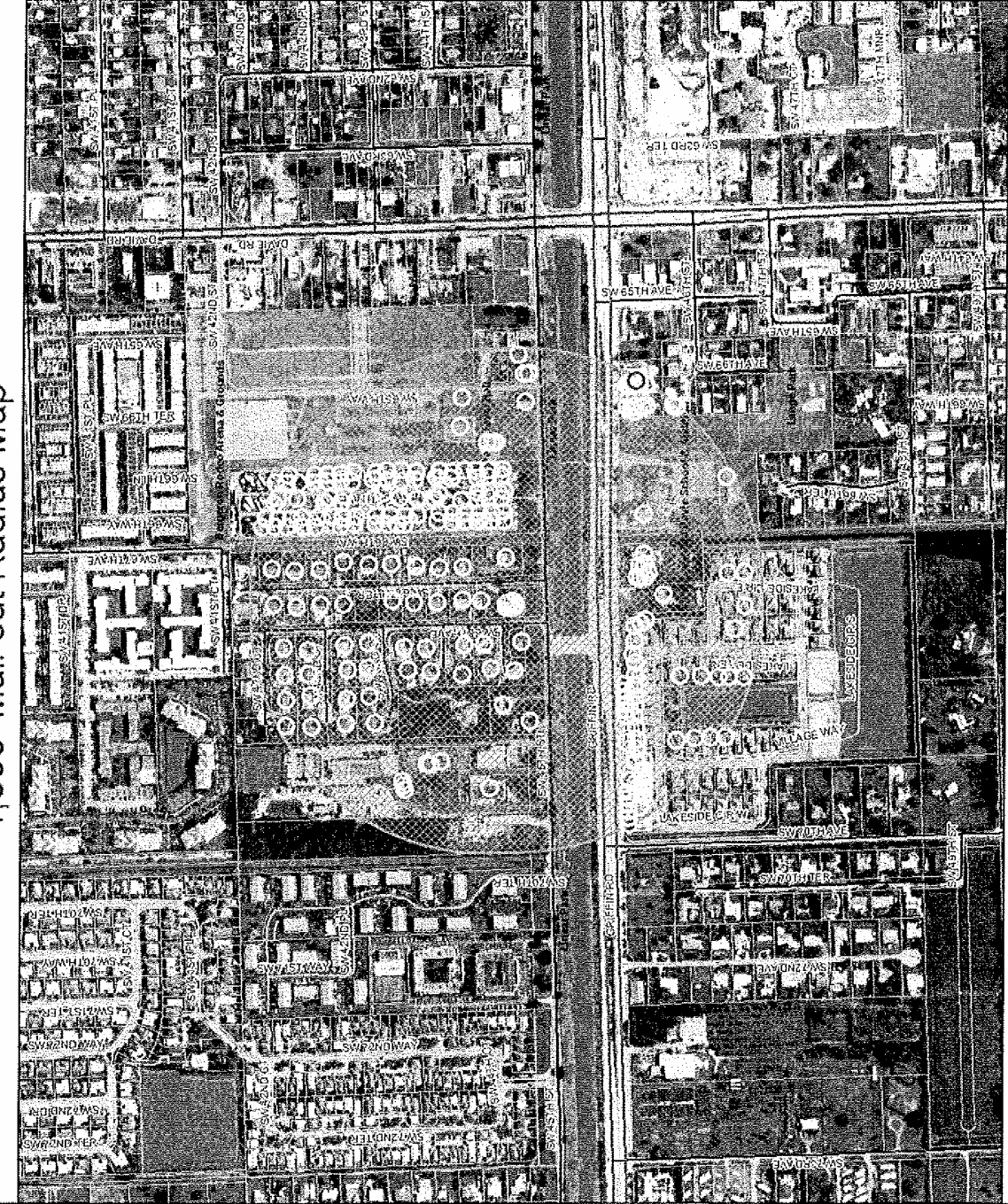
BY: \_\_\_\_\_ 09/09/2009  
ROBERT IBARRA (DATE OF FIELD WORK)  
PROFESSIONAL LAND SURVEYOR NO.: 6437  
STATE OF FLORIDA

(VALID COPIES OF THIS SURVEY WILL BEAR THE EMBOSSED SEAL OF THE ATTESTING LAND SURVEYOR).

**SURVEYOR'S NOTE:**

- SURVEYOR'S NOTE:**
- There may be Easements recorded in the Public Records not shown on this Survey.
  - The purpose of this Survey is for use in obtaining Title Insurance and Financing and should not be used for Construction purposes.

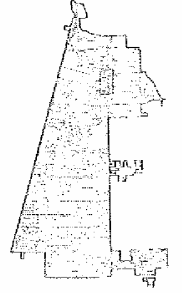
# 1,000' Mail-out Radius Map



- Town Boundary
- Streets
- DEDICATION**
  - STATE RD
  - COUNTY RD
  - LOCAL PAVED RD
  - LOCAL UNPAVED RD
  - PRIVATE RD
- Parcels
- Water\_Features
- Parks



599 ft



## GIS MAP DISCLAIMER

The information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or is it suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable, the Town of Davie cannot assume liability for any damages caused by any errors or omissions in the data.

NAME_LINE_	ADDRESS_LI	ADDRESS__1	ADC	RESS__
6700 GRIFFIN LLC	4700 NW BOCA RATON BLVD #101	BOCA RATON	FL	33431
ALI, SYED FAREED	4692 LAKESIDE TER	DAVIE	FL	33314
ANDERSON, CARROLL RAY TR	4950 SW 111TH TER	DAVIE	FL	33328
ANGELINI, ANGELA &	537 RACQUET CLUB RD APT 38	WESTON	FL	33326
BALCANU, LILIANA	4671 LAKESIDE TER	DAVIE	FL	33314
BENZAQUEN, MOISES	1950 NE 199 ST	MIAMI	FL	33179
BOYD, JOSEPH F & MARILYN J	6820 SW 43RD ST	DAVIE	FL	33314
BRANLY, ROLANDO &	4201 SW 67 TER	DAVIE	FL	33314
BRITTAIN, GEORGE	6821 SW 44 CT	DAVIE	FL	33314
BUCHER, ANTHONY P JR & LANA B	4244 SW 67 TER	DAVIE	FL	33314
BURN, ANNETTE Y 1/2 INT EA	6740 GRIFFIN ROAD	DAVIE	FL	33314
CARDENAS, OMAIRA	4685 VILLAGE WAY	DAVIE	FL	33314
CENTRAL BROWARD WATER CONTROL	8020 STIRLING ROAD	HOLLYWOOD	FL	33024
CRISTEA, TEODOR &	4685 LAKESIDE TER	DAVIE	FL	33314
DAVIE WOMENS CLUB	PO BOX 291053	DAVIE	FL	33329
DAVIS, MICHAEL S	4657 LAKESIDE TER	DAVIE	FL	33314
DAVIS, STEVEN J	4664 LAKESIDE TER	DAVIE	FL	33314
DAVIS, VOICU &	915 NE 10 ST	HALLANDALE	FL	33009
DELERME, KARINA	2082 CLEO LANE	DELTONA	FL	32738
DEUTSCHE BANK NATL TR CO TRSTEE	7105 CORPORATE DR	PLANO	TX	75024
DILELLA, JOSEPH	6800 SW 43RD CT	DAVIE	FL	33314
DOYLE, TERENCE M	4410 SW 67 TER	DAVIE	FL	33314
EPSTEIN, DIANE	4650 VILLAGE WAY	DAVIE	FL	33314
FANKHAUSER, CYNTHIA SUE	6801 SW 42ND CT	DAVIE	FL	33314
FAULKNER, RAYMOND H & BIRDIE JEAN	6800 SW 44TH ST	DAVIE	FL	33314
FLASH MANAGEMENT INC	6521 ORANGE DR	DAVIE	FL	33314
FLORIDA DEPT OF TRANSPORTATION	3400 W COMMERCIAL BLVD	FORT LAUDERDALE	FL	33309
FRATARCANGELI, ROSELLA 1/6 INT	6840 SW 43 ST	DAVIE	FL	33314
GERMAIN, KERLINE &	4734 VILLAGE WAY	DAVIE	FL	33314
GOLDBERG, MARK H	6830 SW 43 ST	DAVIE	FL	33314
GOMEZ, HILDA M	4741 VILLAGE WAY	DAVIE	FL	33314
GROSSO, VINCENT J & DIANE L	2745 MONROE ST	HOLLYWOOD	FL	33020
GUTTMAN, MARK	4734 LAKESIDE CIR E	DAVIE	FL	33314
HAUMSCHILT, JOAN M &	4671 VILLAGE WAY	DAVIE	FL	33314
HURST, MARTIN E & ROXANNE M	6821 SW 42ND CT	DAVIE	FL	33314
J & Y ESTATES LLC	2411 NE 196 ST	N MIAMI	FL	33180
JACKSON, CHRISTOPHER S &	4320 SW 67 TER	DAVIE	FL	33314
JAMES, MARY LOU	4461 SW 67TH TER	DAVIE	FL	33314
JIMENEZ, ADRIANA & FREDDY	4741 LAKESIDE CIR E	DAVIE	FL	33314
KEISER, RICHARD L &	6821 SW 43 ST	DAVIE	FL	33314
KHALIFE, ABBAS &	4657 VILLAGE WAY	DAVIE	FL	33314
KLOIBER, RALF & ELKE	6801 SW 43 ST	DAVIE	FL	33314
KOSTECKI, GEORGE & ELIZABETH	6800 SW 43RD ST	DAVIE	FL	33314
KRANZ, STANLEY & GAYLE &	4706 LAKESIDE TER	DAVIE	FL	33314
KRONK, MICHAEL &	6511 SW 45 ST	DAVIE	FL	33314
LA ROCCA, BARBARA	4290 SW 67 TER	DAVIE	FL	33314
LAKESIDE VILLAGE OF DAVIE POA	6950 GRIFFIN RD #C8	DAVIE	FL	33314
LAZARO, ALFRED	4341 SW 67 TER	DAVIE	FL	33314
LEWIS, ERNEST &	4291 SW 67 TER	DAVIE	FL	33314
LIGMONT, VALERIE &	6811 SW 42 CT	DAVIE	FL	33314
LITWINOWICZ, JOSEPH & COLLEEN	6350 LANDINGS WAY	TAMARAC	FL	33321

LLOYD, PHILLIP O & SANDRA	4221 SW 67TH TER	DAVIE	FL	33314
LODOWSKI, CHARLES	4678 LAKESIDE TER	DAVIE	FL	33314
LOPUT, MICHAEL A & DYANNE K	4720 VILLAGE WAY	DAVIE	FL	33314
LORENZO, YUSIMY 1/2 INT	4271 SW 67 TER	DAVIE	FL	33314
MANCINI, RICHARD &	4692 LAKESIDE CIR E	DAVIE	FL	33314
MANN, LESLIE J	4220 SW 67 TER	DAVIE	FL	33314
MARTINEZ, LUIS A & MYRA	6820 SW 44 CT	DAVIE	FL	33314
MARTINEZ, ROBERT C & TERRY S	611 SW 96 AVE	PEMBROKE PINES	FL	33025
MC KINNEY, GARRY & LORA	6810 SW 44TH CT	DAVIE	FL	33314
MERINO, MICHAEL H	3609 SPANISH OAK PT	DAVIE	FL	33328
MIHALOVITS, EDWARD S &	6801 SW 44 ST	DAVIE	FL	33314
MILES, JEFFREY A JR	6801 SW 43 CT	DAVIE	FL	33314
MILIN, SUSAN &	4300 SW 67 TER	DAVIE	FL	33314
MIZE, BETTIANN TR	4481 SW 67TH TER	DAVIE	FL	33314
MIZE, JACK K & BETTIANN	4481 SW 67 TER	DAVIE	FL	33314
MOULIN, JIMMY	4727 LAKESIDE CIR E	DAVIE	FL	33314
MUNDY, RICHARD & JUDY L	6831 SW 43RD CT	DAVIE	FL	33314
NEILINGER, ERIC A 1/2 INT	6810 SW 42 CT	DAVIE	FL	33314
ORANGE BLOSSOM MOBILE PARK LLC	370 E MAPLE ROAD 3 FLO	BIRMINGHAM	MI	48009
PORTERFIELD, ANN S	6831 SW 43 ST	DAVIE	FL	33314
REEVES, ERIN MARIE 1/2 INT EA	4241 SW 67 TER	DAVIE	FL	33314
REMINGTON, RICHARD & CATHERINE	4340 SW 67 TER	DAVIE	FL	33314
RIVAS, ALFREDO A &	1516 SANDPIPER CIR	WESTON	FL	33327
RIVIERA BUILDERS INC	6550 GRIFFIN ROAD STE #106	DAVIE	FL	33326
ROACH, JAMES &	PO BOX 328002	FORT LAUDERDALE	FL	33332
RORABAUGH, SHERRY LYNN	4200 SW 67 TER	DAVIE	FL	33314
ROSSI, JORGE & NELLY	6841 SW 43RD CT	DAVIE	FL	33314
SAEED, ARSHAD & SAHIRA A	4706 LAKESIDE CIR E	DAVIE	FL	33314
SAVAR, EARL L & RONNIE LE	6821 SW 44 ST	DAVIE	FL	33314
SCHANNON, G PETER & MARIA H	6840 SW 42 CT	DAVIE	FL	33314
SCHILLACI, JEFFREY &	6821 SW 43 CT	DAVIE	FL	33314
SEBREGANDIO, P A & M A TRS	6820 SW 44TH ST	DAVIE	FL	33314
SICOIA, CRISTINA P &	4678 VILLAGE WAY	DAVIE	FL	33314
SOAVE, KERRY JOHN	4455 SW 68TH AVE	DAVIE	FL	33314
STEVENS, LEE	6841 SW 43 ST	DAVIE	FL	33314
THARAKAN, KOCHUTHRESIA R &	4720 LAKESIDE CIR E	DAVIE	FL	33314
TOWN OF DAVIE	6591 ORANGE DR	DAVIE	FL	33314
VARELA, JORGE R &	4310 SW 54 AVE	FORT LAUDERDALE	FL	33314
WHYTE, MAX B & SALLY J	6800 SW 42 CT	DAVIE	FL	33314
WOLF, MARGARET	6851 SW 45 ST	DAVIE	FL	33314
WOZNAK, VALERIE A	6820 SW 43 CT	DAVIE	FL	33314
WRIGHT, JOHN S	6830 SW 42 CT	DAVIE	FL	33314
YOUNG-DANSOH, CARON 1/2 INT	4650 LAKESIDE TER	DAVIE	FL	33314

Current Occupant	ADDRESS_1	ADDRESS	CITY	ST/	ZIP
Current Occupant	6530 GRIFFIN RD		DAVIE	FL	33314
Current Occupant	6530 GRIFFIN RD	UNIT 106	DAVIE	FL	33314
Current Occupant	6550 GRIFFIN RD		DAVIE	FL	33314
Current Occupant	6550 GRIFFIN RD	UNIT 104	DAVIE	FL	33314
Current Occupant	6570 GRIFFIN RD		DAVIE	FL	33314
Current Occupant	6570 GRIFFIN RD	UNIT 106	DAVIE	FL	33314
Current Occupant	6650 GRIFFIN RD		DAVIE	FL	33314
Current Occupant	6700 GRIFFIN RD		DAVIE	FL	33314
Current Occupant	6700 GRIFFIN RD	UNIT F	DAVIE	FL	33314
Current Occupant	6740 GRIFFIN RD		DAVIE	FL	33314
Current Occupant	4201 RODEO WAY		DAVIE	FL	33314
Current Occupant	6800 SW 42 CT		DAVIE	FL	33314
Current Occupant	6801 SW 42 CT		DAVIE	FL	33314
Current Occupant	6810 SW 42 CT		DAVIE	FL	33314
Current Occupant	6811 SW 42 CT		DAVIE	FL	33314
Current Occupant	6821 SW 42 CT		DAVIE	FL	33314
Current Occupant	6830 SW 42 CT		DAVIE	FL	33314
Current Occupant	6840 SW 42 CT		DAVIE	FL	33314
Current Occupant	6800 SW 43 CT		DAVIE	FL	33314
Current Occupant	6801 SW 43 CT		DAVIE	FL	33314
Current Occupant	6820 SW 43 CT		DAVIE	FL	33314
Current Occupant	6821 SW 43 CT		DAVIE	FL	33314
Current Occupant	6831 SW 43 CT		DAVIE	FL	33314
Current Occupant	6841 SW 43 CT		DAVIE	FL	33314
Current Occupant	4467 SW 66 TER		DAVIE	FL	33314
Current Occupant	4404 SW 66 TER		DAVIE	FL	33314
Current Occupant	6650 GRIFFIN RD		DAVIE	FL	33314
Current Occupant	6803 LAKESIDE CIR		DAVIE	FL	33314
Current Occupant	6903 LAKESIDE CIRCLE NORTH		DAVIE	FL	33314
Current Occupant	6801 LAKESIDE CIR		DAVIE	FL	33314
Current Occupant	6880 GRIFFIN RD		DAVIE	FL	33314
Current Occupant	4495 SW 67 TER		DAVIE	FL	33314
Current Occupant	6902 GRIFFIN RD		DAVIE	FL	33314





**linda strutt consulting, inc.**  
planning zoning development services

227 goolsby boulevard . deerfield beach . florida . 33442

phone 954 426 4305

fax 954 725 3342

[www.struttconsulting.com](http://www.struttconsulting.com)

October 4, 2009  
4495 SW 67<sup>th</sup> Terrace

## **MEETING NOTICE**

### **Citizen Participation Plan Meeting for J&Y Estates, LLC Project # ZB-91-09 and VA-91-09**

This letter is to invite you to a citizen participation meeting relating to the rezoning of the property located at 4495 SW 67 Terrace. Currently the site is developed with a two-story office building. The property is zoned B-1. An application has been submitted to the Town of Davie to rezone the site to B-2 in order to enable the property owner to lease space within the existing building for medical office use. The applicant is not proposing any changes to the existing building.

The owner has also submitted an application to the Town for a release of the surplus right-of-way dedicated for Orange Drive (see attached legal sketch of proposed partial right-of-way vacation). No closure or changes are proposed to the adjacent roads or the access driveways. The vacated property is intended to be used for minor additional parking and landscaping.

Under a Town of Davie ordinance, the applicant is required to hold two (2) citizen participation meetings and send notice to all property owners within 1,000 feet of the subject site prior to the Town initiating their review of the rezoning application. The owner has scheduled the following meetings at the project site to meet this requirement.

#### **First Citizen Participation Meeting:**

Date: Wednesday, October 14, 2009  
Time: 6:00 p.m.  
Location: 4495 SW 67<sup>th</sup> Terrace

#### **Second Citizen Participation Meeting:**

Date: Monday, October 19, 2009  
Time: 6:00 p.m.  
Location: 4495 SW 67<sup>th</sup> Terrace

If you wish to submit written comments, please send them to:

Linda Strutt Consulting, Inc.  
227 Goolsby Boulevard  
Deerfield Beach, FL 33442  
954-426-4305

Please be advised that there will be additional opportunities for public input at the Town of Davie Public Hearings.

Should you have questions regarding this meeting, please contact Linda Connors at 954-336-8870.

Attachment: Legal Sketch and Location Map

**Members of the Davie Town Council May Be Present**

J & Y Estates, LLC  
14-Oct-09

NOTICED Y/N	NAME please note name as it appears on notice if different	ADDRESS (if different than on notice or no notice)	PHONE NUMBER (optional)	E-MAIL ADDRESS (optional)
1	Y May Lou Hurdle		94- 503-7623	
2				
3				
4				
5				
6				
7				
8				
9				
10				

J & Y Estates, LLC  
19-Oct-09

NOTICED Y/N	NAME please note name as it appears on notice if different	ADDRESS (if different than on notice or no notice)	PHONE NUMBER (optional)	E-MAIL ADDRESS (optional)
1	Jay & Jean Foulkner	6800 SW 44 ST	954 442 5777	
2	MARTIN HUERT	6121 D.W. 420	954-521-3474	
3				
4				
5				
6				
7				
8				
9				
10				



**linda strutt consulting, inc.**  
planning zoning development services

227 goolsby boulevard . deerfield beach . florida . 33442

phone 954 426 4305

fax 954 725 3342

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November 10, 2009

Ms. Lise Bazinet  
Town of Davie  
Planning and Zoning Division  
6591 Orange Drive  
Davie, Florida 33314

***Re: Citizen Participation Plan for: J&Y Estates, LLC  
Project Number: ZB-91-09 and VA-91-09***

Dear Ms. Bazinet:

This letter is to inform you of the measures taken by Linda Strutt Consulting, Inc., the petitioner for the above mentioned cases, to comply with the Town of Davie Land Development Code Chapter 12, Division 7 citizen participation requirements. A citizen participation plan, including a draft public notice, was prepared and submitted to staff for review. Notices were mailed to all of the property owners, tenants and residents surrounding the subject property within 1,000 feet using the mailing list provided by Town staff. The notice invited the recipients to two (2) Public Participation Meetings, located at 4495 SW 67<sup>th</sup>, the subject site, on October 14 and October 19, 2009 at 6:00 p.m. Those notified were also given the opportunity to submit comments in writing or to telephone for additional information.

One (1) property owner attended the October 14<sup>th</sup> meeting and three (3) resident property owners (two parcels) attended the October 19<sup>th</sup> meeting. In addition, one of the residents attending the second meeting telephoned in advance on behalf of his vicinity neighbors. Two other residents telephoned to ask about the project and express their concerns. At the meetings, the project planner presented the application for rezoning. Although the right-of-way vacation is not subject to the citizen participation requirements, the companion request for right-of-way vacation was presented as well, on the notices, at the meetings and in telephone conversations. It was explained that no additions or changes to the current roadway access points and no expansion of the building are proposed; parking and landscaping are proposed within the vacation area fronting on Orange Drive.

J&Y Estates, LLC  
Citizen Participation Report  
Page 2 of 3

None of the residents expressed opposition to the petitions. They expressed an interest in the anticipated tenants, whether another floor was being added to the building and what landscaping was proposed in the vacation area. The primary concern was for an aesthetic treatment along Orange Drive to screen any additional parking. The only concerns expressed regarding potential uses were specific uses that may pose safety concerns for children in the area (drug rehabilitation or abortion clinic) or convenience store (already permitted with the current zoning) and assurance that necessary parking would be accommodated on the site.

The list of attendees, the sign-in sheets, the mailing list and the meeting minutes are attached.

We are confident that the above information fulfills the requirements of the Public Participation Ordinance concerning this rezoning process.

Sincerely,

A handwritten signature in cursive script that reads "Linda C. Strutt".

Linda Strutt, AICP  
Encls.

**The names, dates and addresses, and number of people that participated in the process.**

A total of 4 individuals attended the two public participation meetings.

October 14, 2009 (1 participant)

Mary Lou Huddle, property owner  
4461 SW 67 Terrace

October 19, 2009 (3 participants)

Ray and Jean Faulkner, property owners  
6800 SW 44th Street

Martin Hurst, property owner  
6821 SW 42nd Street

Telephone Calls

October 15, 2009

Margaret Sebregandio  
6820 SW 44th Street

October 19, 2009

Martin Hurst  
6821 SW 42nd Street

October 26, 2009

No name provided

**SUMMARY OF DISCUSSION  
AT PUBLIC PARTICIPATION MEETING I  
J & Y Estates, LLC**

**October 14, 2009**

The public participation meeting was held on the subject site, 4495 SW 67<sup>th</sup> Street. The project planner gave an overview of both of the requests which were filed with the Town--the rezoning and the vacation of right-of-way. She explained that the property owners were interested in rezoning the property to allow for medical office use. She further explained that the vacation of right-of-way was a request to return a portion of the right-of-way dedicated for Orange Drive which is no longer needed as there are no plans to widen the road. It will not affect the current access and traffic circulation pattern; no new connection to Orange Drive is being proposed. The proposed vacation would allow the property owners to expand their existing parking area as needed to meet the needs of tenants, in particular medical office tenants.

After locating the attendee's house on the aerial provided by the applicant (4 lots north of the site), there was a brief discussion regarding ingress/egress (will not change) and landscaping (landscaping the additional parking area will be required by code). The property owner was concerned about the possibility of having a convenience store on the site, but the project planner explained that convenience store use is a permitted use under the current zoning district (B-1) although not proposed by the owners and the property owners do not intend to make significant changes to the existing building.

After a general discussion about the history of the site and the neighborhood, the meeting adjourned.

October 14, 2009 (1 participant)

Mary Lou Huddle, resident property owner  
4461 SW 67<sup>th</sup> Terrace

**SUMMARY OF DISCUSSION  
AT PUBLIC PARTICIPATION MEETING II  
J & Y Estates, LLC**

**October 19, 2009**

The public participation meeting was held on the subject site, 4495 SW 67<sup>th</sup> Street. The associate project planner gave an overview of the request for rezoning as well as the proposed vacation of right-of-way. She explained that the property owners were interested in rezoning the property to allow for medical office use. She further explained that the vacation of right-of-way would allow the property owners to expand their existing parking area to meet the needs of medical office tenants.

A general discussion regarding the development occurring in the area was entertained. There was a brief discussion regarding ingress/egress (will not change) and landscaping (landscaping the additional parking area will be required by code). One property owner was concerned about the possibility of an overflow of parking occurring on the adjacent streets because of the requested change to medical office use. The project planner explained that the applicant was requesting the vacation of right-of-way to ensure that the parking would be sufficient for the medical use. There were also concerns regarding landscaping the parking area and the addition of direct access to Orange Drive. The project planner explained that the owners were planning to utilize the existing access points to the property with no new direct connection to Orange Drive and that additional landscaping would be required with the approval of the building permit.

After a general discussion about the history of the site and the neighborhood, the meeting adjourned.

October 19, 2009 (3 participants)

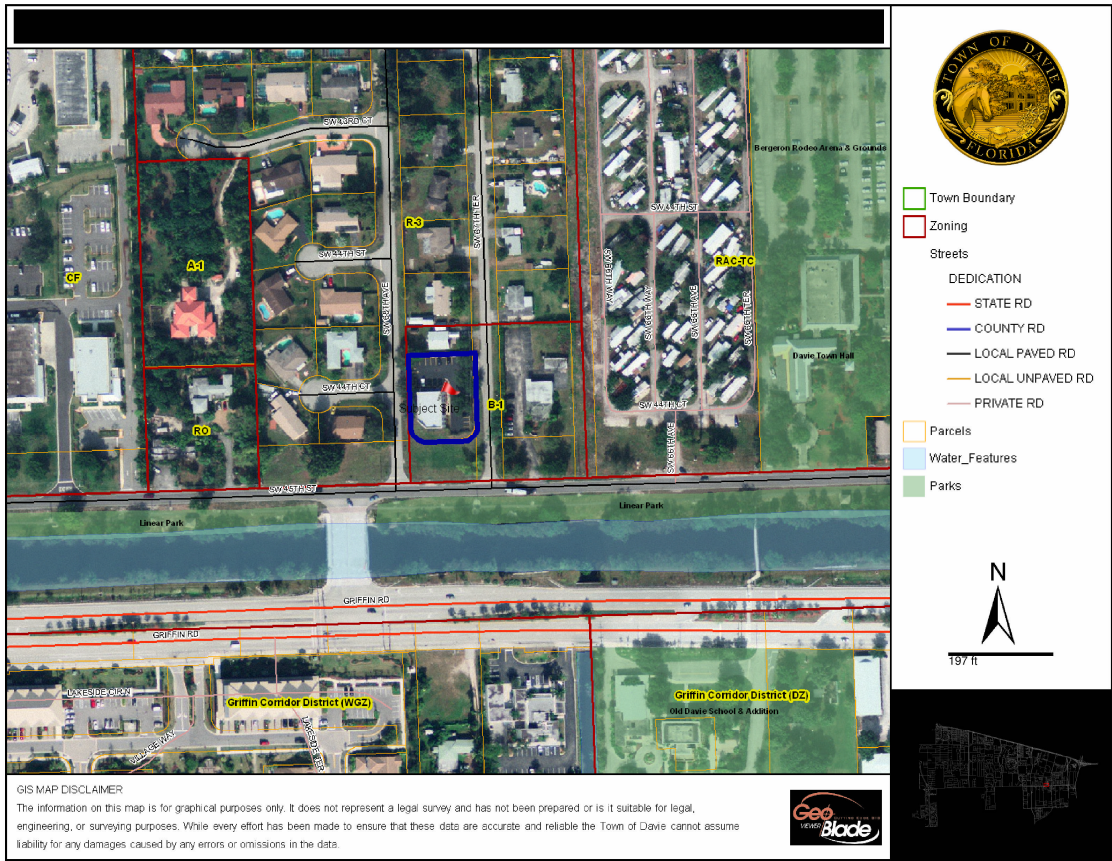
Ray and Jean Faulkner, resident property owners  
6800 SW 44<sup>th</sup> Street

Martin Hurst, resident property owner  
6821 SW 42<sup>nd</sup> Street

This resident also telephoned prior to the meeting on behalf of several of his neighbors and expressed concern regarding maintenance of the existing vacant area along Orange Drive (currently Town right-of-way) and the provision of adequate landscaping to screen any new parking from the Orange Drive view. An aesthetic treatment of this corridor was of concern as it is the entry to the neighborhood immediately west of the site.







(B) *Commercial, Office and Business Districts:*

Use	B-1	B-2
Adult Arcade Amusement Center	N	N
Animals	*	*
Animals, Commercial	*	*
Amusement Parks	N	N
Animal Hospital	P	P
Animal Kennel	N	N
Antique, Crafts Shops	P	P
Athletic/Health Clubs, Gyms	N	P
Art Gallery	P	P
Auction House	N	*
Banks, Financial	P	P
Bakery, Delicatessen	P	P
Barber, Beauty Shops	P	P
Bars, Lounges	N	*
Bingo Establishments	N	1
Boat Yards	N	N
Bookstores, Newsstand	P	P
Botanical Gardens	N	N
Bottled Fuel	N	N
Bowling, Skating	N	P
Cabinet/Carpentry Shops	N	N
Car Wash	N	P
Catering (Food)	N	P
Communication Apparatus	*	*
Contractor, office only	P	P
Convenience Stores	P	P
Dance Halls, Clubs	N	P
Distribution Facilities	N	N

Use	B-1	B-2
Dry Cleaning	*	*
Florist, Plant Shop	P	P
Game Room, Arcade	N	P
Gardeners, Landscape Contractors	N	N
Gift Shops	P	P
Golf Courses	N	P
Home Occupation	N	N
Hotels, Motels	N	N
Laboratories	N	N
Light Fabrication	N	N
Machine Shop	N	N
Medical Clinic, Doctor's Office	N	P
Mini Warehouse/Self Storage	N	N
Mobile Home Sales	N	*
Mortuary	P	P
Motion Picture Studio	N	N
Motor Fuel Pumps	N	*
Motorcycle Shop	N	N
Movers	N	N
Movie Theater, Performing Arts	N	P
Night Clubs	N	*
Nursery, Child Care Facility	*	*
Office	P	P
Office Equipment Sales	N	P
Parking Lot, Rental	N	P
Pawnshop	N	P
Personal Services	P	P
Pharmacy	N	P
Photographic Studio	P	P

Use	B-1	B-2
Plant Nursery	P	P
Pool Rooms	N	P
Printer	N	P
Private Club	N	N
Radio or TV Station	N	N
Real Estate Office	P	P
Repair Shop, Except Vehicle or Boat Repair	N	P
Research Facilities	N	N
Residential Uses	*	N
Restaurants, Fast Food	N	P
Restaurant, Other	*	P
Retail Sales Other	P	P
Sales Office	P	P
Schools--Special, Private	N	*
Schools, Trade, Vocational and Other	N	*
Service Stations	N	N
Sexually Oriented Business	N	N
Sheet Metal Shop	N	N
Special Residential Facilities	*	*
Sports Arena	N	N
Studios (Art, Music)	P	P
Tattoo Parlors	N	N
Vehicle Customizing	N	N
Vehicle, Boat, Truck, Repair Major	N	N
Vehicle Repair, Minor	N	*
Vehicle Towing	N	N
Vehicle Sales and Rental	N	N

Use	B-1	B-2
Warehouse, Storage	N	N
Watchman's Apartment	*	N
Wholesale	N	P

P = Permitted by right in this district.

N = Not permitted in this district.

\* = Conditionally permitted subject to detailed use regulations (section 12-34).

1 = Subject to detailed use regulations of Chapter 13, Article V of Davie Code of Ordinances.

\*\* = Limited to 20% of gross floor area.